

Thursday, July 30, 1936

No. 99

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4670]

EXPORTATION OF DOMESTIC WINES FREE OF TAX

WINE EXPORTER'S BOND, FORM 186, PRESCRIBED

To District Supervisors, Collectors of Customs, and Others Concerned:

Pursuant to authority conferred by Section 618 (a) of the Revenue Act of 1918, approved February 24, 1919 (40 Stat. 1057), the following regulations governing the exportation of domestic wines, free of tax, are hereby prescribed. These regulations shall supersede all regulations heretofore issued on the subject of exportation of domestic wines, free of tax.

Article I—Definitions

When used in these regulations—

- (a) The word "Supervisor" shall mean the District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue.
- (b) The word "Collector" shall mean Collector of Customs.
- (c) The word "Person" or "Exporter" shall mean and include natural persons, associations, copartnerships, corporations, and similar legal entities.
- (d) The term "Entry" shall mean the Application and Entry for Withdrawal of Wine Tax Free for Exportation, Form 711.
- (e) The term "Port of export" shall mean the port at which the wines are laden for direct exportation by vessel or aircraft or transhipped for exportation.

Article II—Bond

PAR. 1. Where domestic wines, including champagne, sparkling wine, and artificially carbonated wine, are to be removed from bonded wineries, or other place of storage, free of tax, for exportation, the person intending to export the same will file with the Supervisor of the district in which such premises are located, a bond on Form 186, prepared and executed in triplicate, in a penal sum equal to the amount of the tax on the quantity of wine to be withdrawn, as specified in the entry, and in no case less than \$500. If additional withdrawals are to be covered by the bond, the penal sum must be in an amount sufficient to equal the tax thereon, plus the tax on any quantity of wines previously withdrawn thereunder and unaccounted for. Bond (Form 186) so filed shall be approved by the Supervisor if the exporter has in all respects complied with the law and regulations. The original will be forwarded to the Deputy Commissioner, Alcohol Tax Unit, and one copy to the principal. The other copy will be retained by the Supervisor. Withdrawals may be made from time to time under said bond as long as it remains good and sufficient, or until the same shall have been released or terminated by the order of the Commissioner or Supervisor.

Article III—Account

PAR. 2. The Supervisor will keep an account with the bond, in which account the principal will be charged with the tax on each lot of wine removed for exportation and will receive credit for the tax on each lot concerning which satisfactory proof of exportation is received. Wine shipped for export will be carried as unaccounted for until proof satisfactory to the Supervisor is received showing the exportation of the wine. No provision has been made in the law for allowance of tax on any loss of wines in transit.

Article IV—Exportation by Vessel or Aircraft

PAR. 3. After having given the required bond, the exporter will execute and file with the Supervisor an entry in quadruplicate. Parts one and two of each copy will be fully executed. If the exporter has complied in all respects with the law and regulations, the Supervisor will note his approval on each copy of the entry, retain one copy thereof for

his official files, and return three copies to the exporter. Upon receipt of the approved copies of the entry the exporter may withdraw the wines therein described for export free of tax. The packages or cases containing such wines must be plainly marked "For Export" in letters not less than one inch in height, in addition to bearing the other marks and brands required by Regulations No. 7 (Edition of May 1930). The wine must be consigned to the Collector at the port of export for examination, inspection, supervision of lading, and report, as provided in paragraph (4) of this Article. Upon shipment from the winery, or other place of storage, the exporter will forward two copies of the entry to the Collector at the port of export. The other copy of the entry will be retained by the exporter.

PAR. 4. Upon arrival of the wine at the port of export the Collector will direct the proper officer to examine and inspect the wines and ascertain whether the same agree in all respects with the description thereof in the entry and to superintend their lading for exportation. Such officer will note on both copies of the entry any shortage and the apparent cause thereof. When the wine is exported the Collector will certify to the clearance of the wine on part three of each copy of the entry, forward one copy to the Supervisor who approved it and retain the remaining copy for his official files. The bill of lading covering shipment of the wine must show the exporter as the shipper, the serial numbers of the packages and the quantity of wine. Upon clearance, the exporter will forward a copy of the bill of lading to the Supervisor. Upon receipt of the copy of the bill of lading and copy of the entry, bearing the certificate of clearance of the Collector, the Supervisor will make proper entries in his bonded account, Form 733, and credit the account kept with the export bond (Form 186), as provided in Article III above.

Article V—Exportation by Railroad Car, Motor Truck, or Other Conveyance

PAR. 5. Where the wines are to be shipped by railroad car, motor truck, or other conveyance, through a frontier customs port, the Collector at such frontier customs port, on receipt of two copies of the entry from the exporter, will direct that the wines be examined, inspected, and report made as provided in Article IV above. If the inspector finds that the wines have not been tampered with, the Collector will allow the railroad car, motor truck, or other conveyance, as the case may be, to proceed to its destination, and will so certify by executing the "Certificate of Exportation by Sealed Cars" on each copy of the entry with proper modifications, forward one copy to the Supervisor who approved it, and retain the remaining copy for his official files. The provisions of Articles III and IV of these regulations dealing with bills of lading, the making of entries in bonded accounts and the crediting of accounts kept with export bonds, so far as applicable, are hereby extended to and apply to the withdrawal and exportation of domestic wines, free of tax, under this article.

Article VI—Procedure Where Inspectors Have Reason to Believe That Wines Have Been Tampered With

PAR. 9. If the inspecting customs officer has reason to believe that the wines have been tampered with, the Collector will take the wines into his custody and report the facts forthwith to the Supervisor who approved the entry, for such action as the Supervisor may deem necessary.

Article VII—Shipments to the Philippine Islands, Puerto Rico, Virgin Islands, Panama Canal Zone, Hawaii, and Alaska

PAR. 10. Shipments of domestic wines to the Panama Canal Zone have the same status as exportations to foreign countries. The law provides for shipment of domestic wines, without payment of tax, to the Philippine Islands, Puerto Rico, and the Virgin Islands. The provisions of these regulations, and the forms prescribed, in respect to the removal of domestic wines, free of tax for exportation to foreign countries, apply to like removals and shipments to the Philippine Islands, Puerto Rico, the Virgin Islands, and the Panama Canal Zone. Hawaii and Alaska are territories of the United

States, and all shipments of domestic wines thereto must be taxpaid before withdrawal from bonded wineries or other bonded premises.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, July 27, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1460—Filed, July 29, 1936; 10:47 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ECR—B-1 Revised—Supplement (1) Issued July 29, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 1 REVISED—SUPPLEMENT (1)

Classification of Crops

Section 2, "Soil-Conserving Crops", of part IV of ECR-B-1 Revised, as amended, is hereby further amended by changing the first paragraph thereof preceding subsection (a) to read as follows:

SEC. 2. *Soil-Conserving Crops*.—Land devoted to any of the following crops shall be regarded as used for the production of a soil-conserving crop, except that any land from which a soil-depleting crop is harvested in the same year shall be regarded as having been used for the production of a soil-depleting crop in such year, unless otherwise provided. Land from which no soil-depleting crop is harvested in 1936 which is seeded to any of the following crops in 1936 shall be regarded as used for the production of a soil-conserving crop in 1936, provided such seeding is made prior to September 1, 1936.

Section 2, "Soil-Conserving Crops", of part IV of E. C. R.—B-1 Revised, as amended, is hereby further amended by adding the following new subsections (j) and (k):

(j) Sowed corn when plowed or disced under.

(k) For 1936 only and subject to the provisions of Supplement (a) to E. C. R.—B-3, spring seeded oats, barley, buckwheat, and grain mixtures, grown in combination with or immediately followed by a legume, notwithstanding the provisions of subsections (a) and (b) of this section 2 relating to nurse crops.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 29th day of July 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1475—Filed, July 29, 1936; 12:26 p. m.]

NOTICE OF REOPENING OF HEARING WITH RESPECT TO A PROPOSAL TO AMEND ORDER NO. 4 REGULATING THE HANDLING OF MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA AND WITH RESPECT TO A PROPOSAL TO AMEND THE MARKETING AGREEMENT, TENTATIVELY APPROVED JANUARY 18, 1936

Whereas, the Secretary of Agriculture, after due notice, caused a public hearing to be held in Concord, New Hampshire on May 8, 1936, in connection with proposed amendments to the tentatively approved marketing agreement and to the order regulating the handling of milk in the Greater Boston, Massachusetts, Marketing Area, which amendments embodied, in similar terms, certain changes in the plan proposed for the regulation of such handling of milk in the Greater Boston, Massachusetts, Marketing Area as is in the current of interstate commerce or which directly burdens, obstructs or affects interstate commerce in such milk, and the hearing was adjourned subject to being reopened by the Secretary of Agriculture; and

Whereas, the Secretary of Agriculture, having reason to believe that drought and other factors affecting the handling of

milk in said marketing area make necessary and advisable the reopening of said public hearing for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act and as to the specific provisions which a marketing agreement and order should contain, has determined to reopen said hearing;

Now, therefore, pursuant to the Agricultural Adjustment Act, as amended, and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration, notice is hereby given of the reopening of said hearing on the proposed amendments to the tentatively approved marketing agreement and to the order regulating the handling of milk in the Greater Boston, Massachusetts, Marketing Area. Said reopened hearing will be held in the Chamber of the House of Representatives, State House, Concord, New Hampshire, on August 3, 1936, at 9:00 a. m., eastern standard time.

This reopened public hearing is for the purpose of receiving additional evidence as to the general economic conditions now existing in said marketing area which may necessitate regulation in order to effectuate the declared policy of the act, and as to the specific provisions which a marketing agreement and order should contain.

Copies of the proposed amendments to the tentatively approved marketing agreement and to the order may be inspected in or procured from the office of the Hearing Clerk, Room 4725, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

Dated, July 29, 1936.

[F. R. Doc. 1487—Filed, July 29, 1936; 1:26 p. m.]

Bureau of Agricultural Economics.

UNITED STATES STANDARDS FOR ROUGH RICE

By virtue of the authority vested in the Secretary of Agriculture by the act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes", approved June 4, 1936 (Public, No. 637, 74th Congress), I, H. A. Wallace, Secretary of Agriculture, do hereby fix, establish, and promulgate in lieu of all existing standards for rough rice the following standards of quality and condition for rough rice, which shall be in force and effect on and after August 1, 1936, and so long as Congress shall provide the necessary authority therefor, unless amended or superseded by standards hereafter prescribed and promulgated under such authority.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, this 29th day of July 1936.

[SEAL]

H. A. WALLACE, Secretary.

UNITED STATES STANDARDS FOR ROUGH RICE¹

For the purposes of the official rough rice standards of the United States:

Rough Rice.—Rough rice shall be rice of the classes specified in these standards which on the basis of the original rice consists of fifty percent or more of kernels of rice from which the hulls have not been removed; which contains not more than fifty percent of matter other than rice; and which contains not more than ten percent of cereal grains of a kind or kinds other than rice.

Classes.—Rough rice shall be divided into the following sixteen classes: Class I, Honduras; Class II, Edith; Class III, Fortuna; Class IV, Carolina; Class V, Lady Wright; Class VI, Early Wright; Class VII, Rexoro; Class VIII, Delitus; Class IX, Nira; Class X, Shoemed; Class XI, Blue Rose; Class XII,

¹ The specifications of these standards shall not excuse failure to comply with the provisions of the Food and Drugs Act.

Early Prolific; Class XIII, Louisiana Pearl; Class XIV, Japan; Class XV, Calady; and Class XVI, Mixed.

Grades.—Rough rice shall be graded and designated according to the respective grade requirements of the numerical grades and Sample grade of its appropriate class or subclass, and according to the special grades when applicable.

HONDURAS ROUGH RICE (CLASS I)

This class shall include the rices known commercially as Honduras and Mortgage Lifter and may include not more than 10 percent of whole kernels of rice of any other class or classes.

EDITH ROUGH RICE (CLASS II)

This class shall include the rice known commercially as Edith, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

FORTUNA ROUGH RICE (CLASS III)

This class shall include the rice known commercially as Fortuna, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

CAROLINA ROUGH RICE (CLASS IV)

This class shall include the rices known commercially as Carolina and Storm Proof, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

LADY WRIGHT ROUGH RICE (CLASS V)

This class shall include the rice known commercially as Lady Wright, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

EARLY WRIGHT ROUGH RICE (CLASS VI)

This class shall include the rice known commercially as Early Wright and may include not more than 10 percent of whole kernels of rice of any other class or classes.

REXORO ROUGH RICE (CLASS VII)

This class shall include the rice known commercially as Rexoro and may include not more than 10 percent of whole kernels of rice of any other class or classes.

DELITUS ROUGH RICE (CLASS VIII)

This class shall include the rice known commercially as Delitus, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

NIRA ROUGH RICE (CLASS IX)

This class shall include the rice known commercially as Nira (No. C. I. 2702), and may include not more than 10 percent of whole kernels of rice of any other class or classes.

SHOEMED ROUGH RICE (CLASS X)

This class shall include the rice known commercially as Shoemed, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

BLUE ROSE ROUGH RICE (CLASS XI)

This class shall include the rices known commercially as Blue Rose, Greater Blue Rose, and Improved Blue Rose, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

EARLY PROLIFIC ROUGH RICE (CLASS XII)

This class shall include the rice known commercially as Early Prolific, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

LOUISIANA PEARL ROUGH RICE (CLASS XIII)

This class shall include the rice known commercially as Louisiana Pearl, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

JAPAN ROUGH RICE (CLASS XIV)

This class shall include the rice known commercially as Japan, and may include not more than ten percent of

whole kernels of rice of any other class or classes. This class shall be divided into two subclasses designated as (a) Japan rough rice and (b) California-Japan rough rice.

SUBCLASS (A) JAPAN ROUGH RICE

This subclass shall include all rices known commercially as Japan possessing the characteristics of rice of this class as grown east of the Rocky Mountains.

CLASSES I TO XIII, INCLUSIVE, AND SUBCLASS (A) OF CLASS XIV

Grade requirements for the classes Honduras, Edith, Fortuna, Carolina, Lady Wright, Early Wright, Rexoro, Delitus, Nira, Shoemed, Blue Rose, Early Prolific, and Louisiana Pearl rough rice, and for subclass (a) Japan rough rice:

United States grade No. ¹	Maximum limits of—				
	Damaged kernels		Red rice	Cereal grains	Rice of other classes
	Total	Heat-damaged			
	Percent	Percent	Percent	Percent	Percent
1.....	2	² Trace	0.5	² Trace	1
2.....	4	0.02	2.5	0.02	2
3.....	7	.01	5.0	.01	4
4.....	10	.07	10.0	.05	6
5.....	15	.03	15.0	.03	10
6.....	20	.10	20.0	.10	10

SAMPLE GRADE: Sample grade shall include rough rice of the class Honduras, or Edith, or Fortuna, or Carolina, or Lady Wright, or Early Wright, or Rexoro, or Delitus, or Nira, or Shoemed, or Blue Rose, or Early Prolific, or Louisiana Pearl, or the subclass (a) Japan of the class Japan, respectively, which does not come within the requirements of any of the grades from No. 1 to No. 6, inclusive, or which has any commercially objectionable foreign odor, or is sour, heating, or hot, or is otherwise of distinctly low quality.

¹The rough rice in each grade above Sample grade shall be cool.
²"Trace" in the above tabulation shall be interpreted to mean not more than 1 kernel in 500 grams.

SUBCLASS (B) CALIFORNIA-JAPAN ROUGH RICE

This subclass shall include all rices known commercially as Japan possessing the characteristics of rice of this class as grown west of the Great Plains area of the United States.

CALADY ROUGH RICE (CLASS XV)

This class shall include the rice known commercially as Calady and other rices of similar type, possessing the characteristics of rice of this class as grown west of the Great Plains area of the United States, and may contain not more than 10 percent of whole kernels of rice of any other class or classes.

SUBCLASS (B) OF CLASS XIV AND CLASS XV

Grade requirements for subclass (b) California-Japan and for the class Calady, rough rice

United States grade No. ¹	Maximum limits of—					
	Damaged kernels		Red rice	Chalky kernels	Foreign material other than dockage	
	Total	Heat-damaged			Total	Cereal grains and objectionable weed seeds
	Percent	Percent	Percent	Percent	Percent	Percent
1.....	0.2	² Trace	0.1	4	0.2	0.01
2.....	.4	0.02	.2	8	.5	.02
3.....	.7	.01	.5	12	.7	.04
4.....	1.0	.03	1.0	16	1.0	.05
5.....	1.5	.03	2.0	20	1.5	.03
6.....	2.0	.10	5.0	—	2.0	.10

SAMPLE GRADE: Sample grade shall include rough rice of the subclass (b) California-Japan, or of the class Calady which does not meet the requirements of any of the grades from No. 1 to No. 6, inclusive; or which contains more than 17 percent of moisture; or which contains more than 5 percent of muddy kernels; or more than 2 percent of mud lumps; or which has any commercially objectionable foreign odor, or is sour, or heating, or hot; or which is otherwise of distinctly low quality.

¹The rough rice in each grade above Sample grade shall be cool.
²"Trace" in the above tabulation shall be interpreted to mean not more than one kernel in 500 grams.

MIXED ROUGH RICE (CLASS XVI)

This class shall include all mixtures of rough rice not provided for in the classes from I to XV, inclusive.

Grade requirements and designations.—Mixed Rough Rice shall be graded according to the grade requirements of the class or subclass of rough rice which predominates in the mixture, except that the grade specifications for the factor "rice of other classes" shall be disregarded.

The grade designation for Mixed Rough Rice shall include, successively, in the order named, (1) the number of the grade, or the words "Sample grade" as the case may be, (2) the words "Mixed Rough Rice", and (3) the name and approximate percentage of each class or subclass of rough rice which constitutes ten percent or more of the mixture in the order of its predominance; but if only one class or subclass exceeds ten percent of the mixture, the name and approximate percentage of that class or subclass shall be added to the grade designation, followed by the name and approximate percentage of at least one other class or subclass.

DOCKAGE (PACIFIC STATES)

Dockage shall apply only to rough rice of the subclass (b) California-Japan of Class XIV and to rough rice of the class Calady, and to Mixed Rough Rice in which rice of the subclass (b) California-Japan or rice of the class Calady predominates.

Definition.—Dockage includes weed seeds, weed stems, chaff, straw, grain other than rice, sand, dirt, and any other foreign material, which can be removed readily from the rough rice by the use of appropriate sieves and cleaning devices; also undeveloped, "blank", shriveled, and small pieces of rice kernels removed in properly separating the foreign material, and which cannot be recovered by properly re-screening or recleaning.

Dockage statement.—The quantity of dockage shall be calculated in terms of percentage based on the total weight of the rough rice including the dockage. The percentage of dockage so calculated, when equal to 1 percent or more, shall be stated in terms of whole percent, and when less than 1 percent shall not be stated. A fraction of a percent shall be disregarded. The word "Dockage", together with the percentage thereof, shall be added to the grade designation.

SPECIAL GRADES FOR ROUGH RICE

DAMP, WET, AND VERY WET ROUGH RICE

Damp Rough Rice

Definition.—Rough rice, other than rough rice of the class Calady and of the subclass (b) California-Japan of Class XIV, which contains more than 14 percent but not more than 15.5 percent of moisture shall be considered damp.

Rough rice of the class Calady and of the subclass (b) California-Japan of Class XIV, which contains more than 15 percent but not more than 17 percent of moisture shall be considered damp.¹

Grades.—Damp rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not damp, and there shall be added to, and made a part of, the grade designation, the word "Damp."

Wet Rough Rice

Definition.—Rough rice, other than rough rice of the class Calady and of the subclass (b) California-Japan of Class XIV, which contains more than 15.5 percent but not more than 17 percent of moisture shall be considered wet.

Grades.—Wet rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not wet, and there shall be added to, and made a part of, the grade designation, the word "Wet."

¹ Rough rice of the class Calady and of the subclass (b) California-Japan of Class XIV, which contains more than 17 percent of moisture shall be graded "Sample grade."

Very Wet, Rough Rice

Definition.—Rough rice, other than rough rice of the class Calady and of the subclass (b) California-Japan of Class XIV, which contains more than 17 percent of moisture shall be considered very wet.

Grades.—Very wet, rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not very wet, and there shall be added to, and made a part of, the grade designation, the words "Very Wet."

SLIGHTLY SEEDY, SEEDY, AND VERY SEEDY ROUGH RICE
(SOUTHERN STATES)*Slightly Seedy Rough Rice*

Definition.—Slightly seedy rough rice shall be rice of any class from Class I to Class XIII, inclusive, and rough rice of subclass (a) Japan of Class XIV, which contains more than 0.1 percent but not more than 0.5 percent of weed seeds.

Grades.—Slightly seedy rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not slightly seedy, and there shall be added to, and made a part of, the grade designation, the words "Slightly Seedy."

Seedy Rough Rice

Definition.—Seedy rough rice shall be rice of any class from Class I to Class XIII, inclusive, and rough rice of subclass (a) Japan of Class XIV, which contains more than 0.5 percent but not more than 2 percent of weed seeds.

Grades.—Seedy rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not seedy, and there shall be added to, and made a part of, the grade designation, the word "Seedy."

Very Seedy Rough Rice

Definition.—Very seedy rough rice shall be rice of any class from Class I to Class XIII, inclusive, and rough rice of subclass (a) Japan of Class XIV, which contains more than 2 percent of weed seeds.

Grades.—Very seedy rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not very seedy, and there shall be added to, and made a part of, the grade designation, the words "Very Seedy."

SLIGHTLY MUDDY, MUDDY, AND VERY MUDDY ROUGH RICE

Slightly Muddy Rough Rice

Definition.—Slightly muddy rough rice shall be rough rice of any class which contains more than 1 percent but not more than 2 percent of muddy kernels, or rough rice which contains more than 0.1 percent but not more than 0.5 percent of mud lumps.

Grades.—Slightly muddy rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not slightly muddy, and there shall be added to, and made a part of, the grade designation, the words "Slightly Muddy."

Muddy Rough Rice

Definition.—Muddy rough rice shall be rough rice of any class which contains more than 2 percent but not more than 5 percent of muddy kernels, or rough rice which contains more than 0.5 percent but not more than 2 percent of mud lumps.²

Grades.—Muddy rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not muddy, and there shall be added to, and made a part of, the grade designation the word "Muddy."

² Rough rice of the class Calady and of the subclass (b) California-Japan of Class XIV which contains more than 5 percent of muddy kernels or more than 2 percent of mud lumps shall be graded "Sample grade."

Very Muddy Rough Rice

Definition.—Rough rice, other than rough rice of the class Calady and of the subclass (b) California-Japan of Class XIV, which contains more than 5 percent of muddy kernels, or more than 2 percent of mud lumps, shall be considered very muddy.

Grades.—Very muddy rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not very muddy, and there shall be added to, and made a part of, the grade designation, the words "Very Muddy."

SLIGHTLY CHALKY, CHALKY, AND VERY CHALKY ROUGH RICE
(SOUTHERN STATES)

Slightly Chalky Rough Rice

Definition.—Rough rice, other than rough rice of the classes Japan and Calady, which contains more than 2 percent but not more than 5 percent of chalky kernels shall be considered slightly chalky.

Rough rice of the subclass (a) Japan of the class Japan, which contains more than 3 percent but not more than 6 percent of chalky kernels shall be considered slightly chalky.

Grades.—Slightly chalky rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not slightly chalky, and there shall be added to, and made a part of, the grade designation, the words "Slightly Chalky."

Chalky Rough Rice

Definition.—Rough rice, other than rough rice of the classes Japan and Calady, which contains more than 5 percent but not more than 10 percent of chalky kernels, shall be considered chalky.

Rough rice of the subclass (a) Japan of the class Japan, which contains more than 6 percent but not more than 10 percent of chalky kernels, shall be considered chalky.

Grades.—Chalky rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not chalky, and there shall be added to, and made a part of, the grade designation the word "Chalky."

Very Chalky Rough Rice

Definition.—Rough rice, other than rough rice of the class Calady and of the subclass (b) California-Japan of the class Japan, which contains more than 10 percent of chalky kernels shall be considered very chalky.

Grades.—Very chalky rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not very chalky, and there shall be added to, and made a part of, the grade designation, the words "Very Chalky."

Weevily Rough Rice

Definition.—Weevily rough rice shall be rough rice of any class which is infested with live weevils or other insects injurious to stored rice.

Grades.—Weevily rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not weevily, and there shall be added to, and made a part of, the grade designation, the word "Weevily."

Musty Rough Rice

Definition.—Musty rough rice shall be rough rice of any class which has an unmistakable musty odor.

Grades.—Musty rough rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not musty, and there shall be added to, and made a part of, the grade designation, the word "Musty."

MILLING QUALITY (SOUTHERN STATES)

Milling quality shall apply only to rough rice of the Classes I to XIII, inclusive, and to rough rice of subclass (a) Japan of Class XIV.

Milling quality shall be based on the utility value of the rough rice for milling purposes. The test for milling quality shall be determined by the use of the Smith shelling device, described in Circular No. 48, dated October 1928, issued by the United States Department of Agriculture and in accordance with methods prescribed by the United States Department of Agriculture.

Milling quality shall be determined as Prime milling quality, Good milling quality, Medium milling quality, Fair milling quality, Ordinary milling quality, or Low milling quality for head rice yield, and as A milling quality, B milling quality, C milling quality, D milling quality, E milling quality, or F milling quality for total yield of head rice and broken rice.

The milling quality so determined shall be stated in hyphenated form (as for example, Prime-A milling quality) and shall be added to, and made a part of, the grade designation of all rough rice, to which it applies.

Definitions

Basis of grade determinations (Southern States).—In the case of rough rice other than rough rice of the subclass (b), California-Japan of Class XIV, and of the class Calady, each determination of general appearance, temperature, odor, separable foreign material, and live weevils or other insects injurious to stored rice shall be on the basis of the lot of rice as a whole. Each determination of red rice, damaged kernels, heat-damaged kernels, chalky kernels, class, subclass, and rice of other classes, shall be on the basis of the rice after shelling. All other determinations shall be on the basis of the rice when free from separable foreign material and before shelling.

Basis of grade determinations (Pacific States).—In the case of rough rice of the subclass (b) California-Japan of Class XIV, and of the class Calady, each determination of dockage, general appearance, temperature, odor, and live weevils or other insects injurious to stored rough rice shall be on the basis of the rough rice including the dockage. Each determination of red rice, damaged kernels, heat-damaged kernels, chalky kernels, class, subclass, and rice of other classes shall be on the basis of the dockage free rice after shelling. All other determinations shall be on the basis of the rice when free from dockage and before shelling.

Percentages.—Percentages, except in the case of moisture, shall be percentages ascertained by weight.

Percentage of moisture.—Percentage of moisture shall be that ascertained by the air oven and the method of use thereof described in Service and Regulatory Announcements No. 147 of the Bureau of Agricultural Economics of the United States Department of Agriculture, or ascertained by any device and method which give equivalent results in the determination of moisture.

Chalky kernel.—A chalky kernel shall be a kernel or a piece of a kernel of rice one-half or more of which is chalky.

Damaged kernels.—Damaged kernels shall be kernels and pieces of kernels of rice which have been distinctly damaged by water, insects, or by any other means. Sound broken kernels and kernels of which the hulls or bran only have been damaged shall not be considered as damaged kernels.

Heat-damaged kernels.—Heat-damaged kernels shall be kernels and pieces of kernels of rice which have been distinctly discolored by external heat or as a result of heating caused by fermentation.

Red rice.—Red rice shall be whole or broken kernels of rice of which the bran is distinctly red or pink in color.

Cereal grains.—Cereal grains shall include barley, rye, wheat, emmer, spelt, Einkorn, corn, and grain sorghums, and shall not include buckwheat, flaxseed, oats, and wild oats.

Foreign material other than dockage.—In the case of rough rice of subclass (b) California-Japan of Class XIV, and rough rice of the class Calady, foreign material other than dockage shall include all matter other than rough rice which is not separated from the rough rice in the proper determination of dockage, except that mud lumps shall not be considered as foreign material.

Separable foreign material.—In the case of rice, other than rough rice of subclass (b) California-Japan of Class XIV, and rough rice of the class Calady, separable foreign material shall be weed seeds, weed stems, chaff, straw, grain other than rice, sand, dirt, and any other foreign material which can be removed readily from the rice by the use of appropriate sieves and cleaning devices approved by the United States Department of Agriculture; also undeveloped, shriveled, and small pieces of rice kernels removed in properly separating the foreign material, and which cannot be recovered by properly rescreening or recleaning.

Muddy kernels.—Muddy kernels shall be kernels of rough rice with a distinct amount of mud clinging to them.

Mud lumps.—Mud lumps shall be lumps of dried mud which remain in the rough rice after the removal of "Separable foreign material" or which remain in the rough rice after the removal of "Dockage", as the case may be.

Weed seeds.—Weed seeds shall be grains, kernels, or seeds, either whole or broken, of any plant other than rice or other cereal grains.

Objectionable weed seeds.—Objectionable weed seeds shall be seeds of Sesbania, morning-glory, Sudan grass, cheat, and similar seeds that remain in the rough rice after the removal of dockage.

[F. R. Doc. 1477—Filed, July 29, 1936; 12:28 p. m.]

Commodity Exchange Administration.

RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE GOVERNING REGISTRATION AS FUTURES COMMISSION MERCHANT AND AS FLOOR BROKER UNDER THE COMMODITY EXCHANGE ACT

By virtue of the authority vested in the Secretary of Agriculture by the Commodity Exchange Act (7 U. S. C., secs. 1-17, as amended by the act of Congress approved June 15, 1936, Public No. 675, 74th Cong.), I, H. A. Wallace, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following rules and regulations to be in force and effect until amended or superseded by rules and regulations hereafter made by the Secretary of Agriculture under said act.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, this 29th day of July 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

RULES AND REGULATIONS

ARTICLE I—DEFINITIONS

SECTION 100.¹ Words used in the singular form in these rules and regulations shall be deemed to import the plural, and vice versa, as the case may require.

SECTION 101. The following terms, as used in these rules and regulations, shall have the meanings hereby assigned to them:

Person.—This term includes individuals, associations, partnerships, corporations, and trusts.

Futures commission merchant.—This term means individuals, associations, partnerships, corporations, and trusts engaged in soliciting or in accepting orders for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market and that, in or in connection with such solicitation or acceptance of orders, accepts any money, securities, or property (or extends credit in lieu thereof) to margin, guarantee, or secure any trades or contracts that result or may result therefrom.

¹The sections of these rules and regulations are numbered according to the corresponding numbers of the articles. Thus the first section of the first article is section 100, the first section of the second article is section 200, etc.

Floor broker.—This term means any person who, in or surrounding any pit, ring, post, or other place provided by a contract market for the meeting of persons similarly engaged, shall engage in executing for others any order for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market, and who for such services receives or accepts any commission or other compensation.

Commodity.—This term means wheat, cotton, rice, corn, oats, barley, rye, flaxseed, grain sorghums, mill feeds, butter, eggs, and Irish potatoes.

Contracts of sale.—This term includes sales, agreements of sale, and agreements to sell.

Future delivery.—This term does not include any sale of any cash commodity for deferred shipment or delivery.

Contract market.—This term means any board of trade as defined in section 2 (a) of the act which shall have been designated as a contract market by the Secretary of Agriculture under the act.

Commodity Exchange Act, or the act.—This term means the act of Congress entitled, "An Act For the prevention and removal of obstructions and burdens upon interstate commerce in grain, by regulating transactions on grain futures exchanges, and for other purposes", approved September 21, 1922 (7 U. S. C., secs. 1-17), as amended by the act of Congress, approved June 15, 1936 (Public, No. 675, 74th Cong.).

Commodity Exchange Administration.—This term means the officer or officers designated by the Secretary of Agriculture to carry out the provisions of the Commodity Exchange Act.

ARTICLE II—ADMINISTRATION

SECTION 200. The Chief or Acting Chief of the Commodity Exchange Administration shall perform for and under the supervision of the Secretary of Agriculture such duties as the Secretary may require in enforcing the provisions of the act and of the rules and regulations promulgated thereunder.

ARTICLE III—REGISTRATIONS

SECTION 300. On and after September 13, 1936, no person shall:

(a) engage as futures commission merchant in the solicitation or acceptance of orders for the purchase or sale of any commodity for future delivery, or involving any contracts of sale of any commodity for future delivery, on or subject to the rules of any contract market, unless such person shall have secured a certificate of registration as futures commission merchant under the Commodity Exchange Act issued by the Secretary of Agriculture and countersigned by the Chief or Acting Chief of the Commodity Exchange Administration and such registration shall not have expired nor been suspended nor revoked; nor

(b) act as floor broker in executing any orders for the purchase or sale of any commodity for future delivery, or involving any contracts of sale of any commodity for future delivery, on or subject to the rules of any contract market unless such person shall have secured a certificate of registration as floor broker under the Commodity Exchange Act issued by the Secretary of Agriculture and countersigned by the Chief or Acting Chief of the Commodity Exchange Administration and such registration shall not have expired nor been suspended nor revoked.

Registration as futures commission merchant shall, under no circumstances, be deemed to include registration as floor broker.

Registration as futures commission merchant shall embrace all branch offices owned and conducted by the registrant.

SECTION 301. Application for registration as futures commission merchant shall be made on form 1-R. Application for registration as floor broker shall be made on form 2-R. Application forms may be obtained from the Commodity Exchange Administration, Department of Agriculture, Washington, D. C., or from any field office thereof. Each application shall be executed in accordance with the instructions

accompanying the prescribed form and shall be filed in duplicate with the Commodity Exchange Administration.

SECTION 302. Each application for registration, or renewal thereof, shall be accompanied by a registration (or renewal) fee of ten dollars (\$10), in the form of a money order, bank draft, or certified check, payable to the U. S. Department of Agriculture, and the application and fee shall be forwarded to the Commodity Exchange Administration, Department of Agriculture, Washington, D. C.

SECTION 303. On and after September 13, 1936, every person registered as futures commission merchant under the act shall post in a conspicuous place in each office in the United States maintained by such person in which orders for the purchase or sale of any commodity for future delivery are solicited or accepted, the original or a duplicate copy (issued by the Secretary of Agriculture) of such person's registration certificate as futures commission merchant.

Duplicate copies of registration certificates may be issued on request upon the payment of a fee of two dollars (\$2) for each duplicate copy. The word "DUPLICATE" in conspicuous letters shall appear on the face of each duplicate copy.

SECTION 304. Upon receipt of an application for registration (or renewal thereof) the Secretary of Agriculture will, if the application be approved, issue a certificate of registration certifying that the registrant has registered under the act as futures commission merchant or as floor broker. The registration fee (including the fee for duplicate copies of the certificate of registration, if any) so tendered shall be deposited in a special-deposit account until the registration is finally issued or denied. If registration be denied, the fee shall be returned to the applicant, but if issued the fee shall be deposited as a miscellaneous receipt and will not thereafter be subject to refund. Each registration certificate shall bear a serial number, the signature of the Secretary of Agriculture, be issued under the seal of the United States Department of Agriculture, and be countersigned by the Chief or Acting Chief of the Commodity Exchange Administration.

SECTION 305. Upon any change which renders no longer accurate any portion of the registrant's application for registration or any statement supplemental thereto, the registrant shall file with the Commodity Exchange Administration a statement on form 3-R setting forth such change in accordance with the instructions accompanying form 3-R.

SECTION 306. A new registration shall be required in the event of a change;

- (a) in the personnel of a partnership resulting from the death, withdrawal, or addition of a partner; or
- (b) in the ownership of the business of the registrant in the case of a sole proprietorship; or
- (c) in the name of a registrant.

SECTION 307. All registrations shall automatically terminate at midnight on December 31 of the year for which issued. Registrations issued prior to December 31, 1936, shall be valid until and including December 31, 1937, unless sooner suspended or revoked in accordance with the provisions of the act and the rules and regulations thereunder.

[F. R. Doc. 1476—Filed, July 29, 1936; 12:27 p.m.]

DEPARTMENT OF COMMERCE.

Bureau of Air Commerce.

AIR COMMERCE REGULATIONS

AERONAUTICS BULLETIN NO. 7 (EDITION OF JANUARY 1, 1934),
AMENDED

AMENDMENT No. 5.

Pursuant to the Air Commerce Act of 1926 (44 Stat. 568), as amended, Chapter 5 of Aeronautics Bulletin No. 7 is hereby amended by adding Paragraph (H), under Section 49, as follows:

Vol. I—pt. 1—37—57

(H) Non-Scheduled Instrument Rating:

- (1) Transport, Limited Commercial, or Private pilot license.
- (2) 200 hours of solo flying time.
- (3) A minimum of twenty hours instrument flying instruction and practice.

AMENDMENT No. 6.

Pursuant to the Air Commerce Act of 1926 (44 Stat. 568) as amended, Chapter 5 of Aeronautics Bulletin No. 7 is hereby amended by adding Paragraph (H), under Sec. 52, as follows:

(H) Non-Scheduled Instrument Rating:

- (1) Practical flight test in a hooded cockpit under the conditions of instrument flying, performing the maneuvers required by Par. G, (2), (a), (b), (c), (d), and (e) of this section, and the following:
 - (a) Directional radio problems:
 - (1) Tuning Radio.
 - (2) Orientation.
 - (3) Following radio beam.
 - (4) Locating cone of silence.
 - (5) Letting down to safe altitude on the beam.

AMENDMENT No. 7.

Pursuant to the Air Commerce Act of 1926 (44 Stat. 568), as amended, Chapter 5 of Aeronautics Bulletin No. 7 is hereby amended by adding at the end of Paragraph B, under Section 54, the following:

Non-Scheduled Instrument Rating may be renewed if the holder thereof, being a transport or limited commercial pilot, has had two hours of instrument flying practice within the six months preceding expiration date of license; if a private pilot, he shall have had four hours of instrument flying practice time within a year, preceding the expiration date of license, two hours of which shall have been within six months thereof.

Approved to take effect August 15, 1936.

J. M. JOHNSON,
Acting Secretary of Commerce.

[F. R. Doc. 1461—Filed, July 29, 1936; 10:53 a.m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of July A. D. 1936.

Commissioners: Charles H. March, Chairman, Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[File No. 21-254]

IN THE MATTER OF TRADE PRACTICE RULES FOR THE JUVENILE WHEEL GOODS MANUFACTURING INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been had under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914 (38 Stat. 717),

It is now ordered, that the trade practice rules of Group I, which have been approved by the Commission in this proceeding and those of Group II which have been received by the Commission as expressions of the industry be, and the same are, hereby promulgated for the Juvenile Wheel Goods Manufacturing Industry, as follows:

GROUP I

The unfair trade practices which are embraced in Group I rules are considered to be unfair methods of competition within the decisions of the Federal Trade Commission and the Courts, and appropriate proceedings in the public interest will be taken by the Commission to prevent the use of such unlawful practices in or directly affecting interstate commerce.

Rule 1.

The practice of selling goods below the seller's cost, with the intent and with the effect of injuring a competitor and

where the effect may be to substantially lessen competition or tend to create a monopoly or unreasonably restrain trade, is an unfair trade practice; all elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this rule.

Rule 2.

The secret payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or secretly extending to certain purchasers free samples or other special services or privileges not extended to all purchasers under like terms and conditions, with the intent and with the effect of injuring a competitor and where the effect may be to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade, is an unfair trade practice.

Rule 3.

The making or causing or permitting to be made or published any false, untrue, or deceptive statement or representation by way of advertisement or otherwise concerning the character of a member's business or the plan of operation thereof, or concerning the grade, quality, quantity, substance, character, nature, origin, size, or preparation of any product of the industry, having the tendency or capacity to mislead or deceive purchasers or prospective purchasers, and the tendency to injuriously affect the business of competitors, is an unfair trade practice.

Rule 4.

Directly or indirectly to give or permit to be given or offer to give money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase industry products from the maker of such gift or offer, or to influence such employers or principals to refrain from dealing or contracting to deal with competitors, is an unfair trade practice.

Rule 5.

Wilfully inducing or attempting to induce the breach of any lawfully existing contract or contracts between competitors and their customers by any false or deceptive means whatsoever, or wilfully interfering with or obstructing the performance of any such contractual duties or services, with the purpose and effect of unduly hampering, injuring, or embarrassing competitors in their businesses, is an unfair trade practice.

Rule 6.

The offering or giving of prizes, premiums, or gifts in connection with the sale of products, or as an inducement thereto, by any scheme which involves lottery, misrepresentation, or fraud, is an unfair trade practice.

Rule 7.

The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the grade or quality of their goods, with the tendency or capacity to mislead or deceive purchasers or prospective purchasers, is an unfair trade practice.

Rule 8.

The circulation of threats of suit for infringement of patents or trade-marks among customers or prospective customers of a competitor not made in good faith but for the purpose or with the effect of harassing or intimidating such customers or prospective customers, or unfairly prejudicing or injuring competitors in their businesses, is an unfair trade practice.

Rule 9.

Seeking information from competitors concerning their businesses by false or misleading statements or representations, or by false impersonation of one in authority, and the

wrongful use thereof to unduly hinder or stifle the competition of such competitors, is an unfair trade practice.

Rule 10.

The selling by manufacturers in this industry of regular lines of merchandise as "close-outs" for the purpose of inducing purchasers to believe they are receiving bargains when such is not the case, with the tendency or capacity to mislead or deceive purchasers or prospective purchasers, is an unfair trade practice.

Rule 11.

Price discrimination contrary to Section 2 of the Clayton Act, as amended by the Act of Congress approved June 19, 1936 (Public No. 692, 74th Congress), is an unfair trade practice.

Rule 12.

The shipping or delivering of products which do not conform to the samples submitted or representations made prior to securing the orders, without the consent of the purchasers to such substitution and with the effect of deceiving or misleading purchasers, is an unfair trade practice.

Rule 13.

The imitation of the trade-marks, trade names, or other marks of identification of competitors, having the tendency or capacity to mislead or deceive purchasers or prospective purchasers, is an unfair trade practice.

Rule 14.

For any manufacturer in this industry knowingly to aid or abet a person, firm, or corporation in the use of unfair trade practices is an unfair trade practice.

Rule 15.

Withholding from or inserting in the invoice statements which make the invoice a false record, wholly or in part of the transaction represented on the face thereof with the purpose or effect of misleading or deceiving purchasers or prospective purchasers, is an unfair trade practice.

Rule 16.

For any person, firm, partnership, corporation, or association to enter into or take part, directly or indirectly, in any agreement, understanding, combination, conspiracy, or concerted action with one or more other persons, firms, partnerships, corporations, or associations to fix, maintain, or enhance prices or to fix or control terms of sale with respect to any product or products of the industry or allied products, or to unreasonably restrain trade, or by any other unlawful means to fix, maintain, or enhance prices; to fix or control terms of sale, or otherwise to unreasonably restrain trade, is an unfair trade practice; and it is not contemplated or intended that any other rule in this trade practice agreement shall be construed or used to effectuate or promote any of the practices condemned in this rule.

GROUP II

The trade practices embraced in Group II rules do not, *per se*, constitute violations of law. They are considered by the industry either to be unethical, uneconomical, or otherwise objectionable; or to be conducive to sound business methods which the industry desires to encourage and promote. Such rules, when they conform to the above specifications and are not violative of law, will be received by the Commission, but the observance of said rules must depend upon and be accomplished through the cooperation of the members of the industry concerned, exercised in accordance with existing law. Where, however, such practices are used in such manner as to become unfair methods of competition in commerce or a violation of any law over which the Commission has jurisdiction, appropriate proceedings will be instituted by the Commission as in the case of violation of Group I rules.

Rule A.

It is the judgment of the industry that each member should independently keep proper and accurate records for determining his costs.

Rule B.

The practice of shipping goods on approval or on consignment or pretended consignment, which goods have not been previously requested or ordered, is condemned by the industry.

Rule C.

It is the judgment of the industry that it is in the interest of the public that each manufacturer, while fixing individually his own prices, shall openly publish the current list prices of his products with descriptions and specifications thereof, and that he promptly and openly publish any revisions thereof.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1462—Filed, July 29, 1936; 11:23 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of July A. D. 1936.

Commissioners: Charles H. March, Chairman, Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2687]

IN THE MATTER OF C. W. BEGGS SONS AND COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that John W. Addison, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Friday, August 7, 1936, at nine o'clock in the forenoon of that day (central standard time), in room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1463—Filed, July 29, 1936; 11:23 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman, Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2795]

IN THE MATTER OF JOHN HARTFORD AND HARVEY E. WAGLEY, DOING BUSINESS UNDER THE NAME AND STYLE OF FEDERAL CIVIL SERVICE TRAINING BUREAU

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, that John W. Addison, an examiner of this Commission, be, and he hereby is, designated and appointed

to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Monday, August 3, 1936, at nine o'clock in the forenoon of that day (central standard time), in room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1462—Filed, July 29, 1936; 11:24 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman, Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2814]

*IN THE MATTER OF THE AMERICAN DIRIGOLD CORPORATION
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY*

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, that John W. Addison, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, that the taking of testimony in this proceeding begin on Tuesday, July 28, 1936, at one o'clock in the afternoon of that day, central standard time, at Room 1123, United States Post Office, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1465—Filed, July 29, 1936; 11:24 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman, Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2815]

*IN THE MATTER OF DIRIGOLD METALS CORPORATION
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY*

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; U. S. C. A., Section 41),

It is ordered, that John W. Addison, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Wednesday, July 29, 1936, at nine

o'clock in the forenoon of that day (central standard time), in room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1466—Filed, July 29, 1936; 11:25 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr.; Ewin L. Davis; W. A. Ayres; Robert E. Freer.

[Docket No. 2816]

IN THE MATTER OF DIRIGOLD DISTRIBUTORS, INC.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, that John W. Addison, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Tuesday, July 28, 1936, at nine o'clock in the forenoon of that day (central standard time) at room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1467—Filed, July 29, 1936; 11:25 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr.; Ewin L. Davis; W. A. Ayres; Robert E. Freer.

[Docket No. 2860]

IN THE MATTER OF GULF COAST OIL COMPANY OF MISSISSIPPI, INC.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, that John J. Keenan, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Tuesday, August 4, 1936, at ten o'clock in the forenoon of that day (central standard time); in room 206, Federal Building, New Orleans, Louisiana.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to

take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1468—Filed, July 29, 1936; 11:26 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of July A. D. 1936.

[Docket No. BMC 21471]

APPLICATION OF G. E. BRUCE AND E. I. BRUCE FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of G. E. Bruce and E. I. Bruce, Co-partners Doing Business as Bruce Transfer and Storage Company of S. W. Fifth and Elm Streets, Des Moines, Iowa, for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, Over the Following Routes

Route No. 1.—Between Des Moines, Iowa, and Minneapolis and St. Paul, Minn., over U. S. Highway 65.

Route No. 2.—Between Des Moines, Iowa, and Kansas City, Mo., over U. S. Highways 65, 69.

Route No. 3.—Between Des Moines, Iowa, and St. Louis, Mo., via Columbia, Mo., over U. S. Highways 63, 49.

Route No. 4.—Alternate route between Des Moines, Iowa, and St. Louis, Mo., via Macon, Hannibal, and Wentzville, Mo., over U. S. Highways 63, 36, 61, 40.

Route No. 5.—Between Des Moines, Iowa, and Corydon, Iowa, via Leon, Iowa, over U. S. Highways 65, 69, and Iowa Highway 3.

Also from and between points in the States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin, over irregular routes.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 17th day of August A. D. 1936, at 9 o'clock a. m. (standard time), at the U. S. Court Rooms, Des Moines, Iowa.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1470—Filed, July 29, 1936; 12:22 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of July A. D. 1936.

[Docket No. BMC 30603]

APPLICATION OF THE CARDINAL STAGE LINES COMPANY FOR
AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of The Cardinal Stage Lines Company, a Corporation, of Salina, Kans., for a Certificate of Public Convenience and Necessity (Form BMC 2), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Passengers, Light Express, Mail, and Newspapers, in Interstate Commerce, Over the Following Routes

Route No. 1.—Between St. Joseph, Mo., and Denver, Colo., via Strasburg, Colo., over U. S. Highways 36, 40.

Route No. 2.—Between Kansas City, Mo., and Denver, Colo., via Manhattan, Kans., and Limon, Colo., over U. S. Highways 40, 40N.

Route No. 3.—Between Wichita, Kans., and Lincoln, Nebr., via Fairmont, Nebr., over U. S. Highways 81, 6.

Route No. 4.—Between Wichita, Kans., and Omaha, Nebr., via Junction City, Kans., over U. S. Highways 31, 50S; thence to Omaha, Nebr., over U. S. Highways 77, 6.

Route No. 5.—From Dodge City, Kans., to St. Joseph, Mo., via Admire, over U. S. Highways 50S, 50N, Kansas Highway 37; thence via Netawaka, Kans., over U. S. Highway 75, State Highways 11, 4; thence to St. Joseph, over U. S. Highways 59, 73, 36, Kansas Highway 9.

Route No. 6.—Between Manhattan and Salina, Kans., over U. S. Highway 40S.

Route No. 7.—Between Wichita and Phillipsburg, Kans., via Great Bend, over U. S. Highway 50N, State Highway 96; thence to Phillipsburg, over State Highways 8, 4, 1.

Route No. 8.—Between Wichita and Dodge City, Kans., via Hutchinson, over U. S. Highway 50S, State Highway 96.

Route No. 9.—Between Downs and Smith Center, Kans., over State Highways 8, 9.

Route No. 10.—Between Hutchinson and McPherson, Kans., over State Highway 17.

Route No. 11.—Between Holton, Kans., and Kansas City, Mo., via Oskaloosa, over U. S. Highways, 59, 40, Kansas Highway 24.

Route No. 12.—Between Goodland and Wheeler, Kans., over State Highway 27.

Route No. 13.—Between Newton and Marion, Kans., via Lehigh, over U. S. Highway 50N, State Highway 15.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 19th day of August A. D. 1936, at 9 o'clock a. m. (standard time), at the State Corporation Commission, Topeka, Kans.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

F. R. Doc. 1471—Filed, July 29, 1936; 12:23 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of July A. D. 1936.

[Docket No. BMC 43104]

APPLICATION OF HUGH BREEDING FOR AUTHORITY TO OPERATE AS
A COMMON CARRIER

In the Matter of the Application of Hugh Breeding, Individual, Doing Business as Hugh Breeding Transport Company of 619 West Grand Avenue, Oklahoma City, Okla., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From and Between Points Located in the States of Michigan, Wisconsin, Ohio, Indiana, Missouri, Illinois, Oklahoma, Kansas, Texas, and Arkansas Over Irregular Routes

It appearing That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered That the above-entitled matter be, and it is hereby, referred to Examiner P. S. Peyser for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered That this matter be set down for hearing before Examiner P. S. Peyser, on the 27th day of August A. D. 1936, at 9 o'clock a. m. (standard time), at the Skirvin Hotel, Oklahoma City, Okla.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1472—Filed, July 29, 1936; 12:24 p. m.]

[Docket No. BMC 50729]

APPLICATION OF RED STAR SIGHTSEEING LINE, INC., FOR AUTHORITY
TO OPERATE AS A COMMON CARRIER

JULY 29, 1936.

In the Matter of the Application of Red Star Sightseeing Line, Inc., of 179 Palmetto Street, Brooklyn, N. Y., for a Certificate of Public Convenience and Necessity (Form BMC 9, New Operation), Authorizing Seasonal Operation as a Common Carrier by Motor Vehicle in the Transportation of Persons in Interstate Commerce for the Purpose of Conducting Tours From Brooklyn, N. Y., to Points Located in the States of New York, Delaware, Pennsylvania, Maryland, Virginia, New Jersey, Connecticut, Massachusetts, and the District of Columbia

Hearing in the above-entitled proceeding now assigned for July 31, 1936, at New York, N. Y., before Examiner Naftalin is cancelled, and the above-entitled proceeding is reassigned for hearing on August 10, 1936, at 9 o'clock a. m. (standard time), at the Hotel Pennsylvania, New York, N. Y., before Examiner Naftalin.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1463—Filed, July 23, 1936; 12:22 p. m.]

[Fourth Section Application No. 16446]

AUTOMOBILES FROM KANSAS CITY, MO., TO POINTS IN
OKLAHOMA

JULY 29, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: St. Louis-San Francisco Railway Company, by B. H. Stanage, Freight Traffic Manager.
Commodities involved: Automobiles, set up, freight or passenger, chassis, set up, with or without seat, cabs, and trailers, straight or mixed carloads, minimum weight 10,000 pounds.
From: Kansas City, Mo.
To: Stations in Oklahoma on the line of the Oklahoma City-Ada-Atoka Railway Company.
Grounds for relief: Circuitous routes.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1473—Filed, July 29, 1936; 12:24 p. m.]

[Fourth Section Application No. 16447]

COTTONSEED MEAL AND HULLS FROM MONTGOMERY, ALA., TO PANAMA CITY, FLA.

JULY 29, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: Central of Georgia Railway Company (H. D. Follard, Receiver).
Commodities involved: Cottonseed meal and hulls, in straight or mixed carloads.
From: Montgomery, Ala.
To: Panama City, Fla.
Grounds for relief: Truck competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1474—Filed, July 29, 1936; 12:24 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO FORM 8

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions, vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12, 13, and 23 (a) thereof, hereby amends Form 8 to read as set forth in the printed copy thereof marked "Form revised 7-27-36."¹

The foregoing amendment shall be effective immediately upon publication, provided that Form 8, as it existed prior to such amendment, may be used for any amendment to an application for registration pursuant to Rule JB1 or JB2 or to a report pursuant to Section 13, if such amendment is filed with the Commission on or before September 25, 1936.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1458—Filed, July 28, 1936; 1:18 p. m.]

¹Form 8 has been filed with the Division of the Federal Register; copies are available upon application to the Securities and Exchange Commission.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

[File No. 32-29]

IN THE MATTER OF CENTRAL VERMONT PUBLIC SERVICE CORPORATION

NOTICE OF OPPORTUNITY FOR HEARING AND ORDER DESIGNATING TRIAL EXAMINER

A declaration having been duly filed with this Commission, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, by Central Vermont Public Service Corporation, a subsidiary company of New England Public Service Company, a registered holding company, regarding the issue and sale of a promissory note or notes in the aggregate not exceeding \$1,800,000 to a bank or banks by declarant for the purpose of providing funds with which to redeem the First Mortgage, 40 Year 5% Gold Bonds of Rutland Railway, Light and Power Company assumed by declarant and now outstanding in the hands of the public in the amount of \$1,633,000 at the principal amount thereof, plus a premium of 10%, plus accrued interest thereon;

It is ordered, that the matter be set down for hearing on August 7, 1936, at 10:00 o'clock in the forenoon of that day, at Room 726-C, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Notice is hereby given, that opportunity will be offered at such hearing for the presentation of evidence or argument with respect to such matter by or on behalf of any interested State, State commission, State securities commission, municipality, or any other political subdivision of a State, or by a representative of any interested consumers or security holders, or by any other person whose participation in the proceeding is in the public interest or for the protection of investors or consumers.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1459—Filed, July 28, 1936; 1:18 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July 1936.

[File No. 37-12]

IN THE MATTER OF UTILITIES POWER & LIGHT OPERATING CORPORATION (DECLARATION WITH RESPECT TO THE ORGANIZATION AND CONDUCT OF BUSINESS OF SUBSIDIARY SERVICE COMPANY PURSUANT TO RULE 13-22)

NOTICE OF OPPORTUNITY FOR HEARING AND ORDER DESIGNATING TRIAL EXAMINER AND GRANTING EXTENSION OF TIME

A declaration having been duly filed by Utilities Power & Light Operating Corporation, a corporation of the State of Illinois and a subsidiary of Utilities Power & Light Corporation, a registered holding company, pursuant to Rule 13-22 of the Rules of the Commission adopted under Section 13 of the Public Utility Holding Company Act of 1935, with respect

to the organization and conduct of business by it as a subsidiary service company, and it appearing that there is sufficient reason for the failure of the said Utilities Power & Light Operating Corporation to file the said declaration sooner, and that the time limit prescribed in Rule 13-11 and paragraph (a) of Rule 13-21 will expire before the Commission enters an order disposing of said declaration pursuant to and in the manner prescribed by paragraph (d) of Rule 13-22:

It is ordered, that such matter be set down for hearing on the 17th day of August 1936, at 11:30 o'clock in the forenoon of that day at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to the declarant and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 12, 1936; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission, be, and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that, upon the completion of the taking of evidence in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission; and

It is further ordered, that the period during which said Utilities Power & Light Corporation may perform services or construction for, or sell goods to, associate companies thereof, as provided in the first sentence of Rule 13-11 and subject to the conditions therein specified, and during which any subsidiary company of said Utilities Power & Light Corporation, including said Utilities Power & Light Operating Corporation, may perform services or construction for, or sell goods to, associate companies thereof, as provided in the first sentence of paragraph (a) of Rule 13-21 and subject to the conditions therein specified, be, and it hereby is, extended until and including the tenth day after the day upon which the Commission shall enter an order disposing of said declaration in the manner prescribed by paragraph (d) of Rule 13-22.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1486—Filed, July 29, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of July A. D. 1936.

[File No. 37-13]

IN THE MATTER OF REPUBLIC ELECTRIC POWER CORPORATION
NOTICE OF OPPORTUNITY FOR HEARING AND ORDER DESIGNATING
TRIAL EXAMINER AND GRANTING EXTENSION OF TIME

An application having been duly filed with this Commission, by Republic Electric Power Corporation, a Delaware corporation and a registered holding company, for an order of exemption pursuant to Section 13 (a) of the Public Utility Holding Company Act of 1935, and it appearing that there is sufficient reason for the failure of said Republic

Electric Power Corporation sooner to file said application or a declaration or application pursuant to Rule 13-22, and that the time limit prescribed in rule 13-11 will expire before the Commission enters an order disposing of said application:

It is ordered, that said matter be set down for hearing on the 18th day of August 1936, at 10 o'clock in the forenoon of that day at Room 1103, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given, to the applicant and to any interested State, State commission, State securities commission, municipality, and other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 13, 1936; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn such hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that, upon the completion of the taking of evidence in this matter, the officer conducting such hearing is directed to close the hearing and make his report to the Commission; and

It is further ordered, that the period during which said Republic Electric Power Corporation may perform services or construction for, or sell goods to, associate companies thereof, as provided in the first sentence of Rule 13-11 and subject to the conditions therein specified, be, and it hereby is, extended until and including the tenth day after the day upon which the Commission shall enter an order disposing of said application.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1478—Filed, July 23, 1936; 12:44 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

[Filed on July 7, 1936]

IN THE MATTER OF W. E. COOK, OFFERING SHEET OF A ROYALTY
INTEREST IN PHILLIPS-STILES PARK COMMUNITY LEASE

ORDER TERMINATING PROCEEDINGS (UNDER RULE 340) THROUGH
AMENDMENT

The Securities and Exchange Commission finding that the amendments to the offering sheet which is the subject of this proceeding filed with the said Commission are so far as necessary in accordance with the suspension order previously entered in this proceeding:

It is ordered, that the amendment dated July 25, 1936, and received at the office of the Commission on July 27, 1936, to Division II of the said offering sheet be effective as of July 27, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, entered in this proceeding on July 20, 1936, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1484—Filed, July 29, 1936; 12:46 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

[Filed on July 13, 1936]

IN THE MATTER OF W. R. CURRY OFFERING SHEET OF A ROYALTY
INTEREST IN FLEETBORN-STUMPP FARM

ORDER TERMINATING PROCEEDINGS (UNDER RULE 340) THROUGH
AMENDMENT

The Securities and Exchange Commission finding that the amendment to the offering sheet which is the subject of this proceeding, filed with the said Commission, is, so far as necessary, in accordance with the suspension order previously entered in this proceeding:

It is ordered, that the amendment dated July 24, 1936, and received at the office of the Commission on July 27, 1936, to Division II of the said offering sheet be effective as of July 27, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner entered in this proceeding on the 20th day of July 1936 be, and the same hereby are, revoked and the said proceedings terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1485—Filed, July 29, 1936; 12:47 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

[Filed on July 13, 1936]

IN THE MATTER OF W. R. CURRY OFFERING SHEET OF A
ROYALTY INTEREST IN SHELL-MILLER FARM

ORDER TERMINATING PROCEEDINGS (UNDER RULE 340) THROUGH
AMENDMENT

The Securities and Exchange Commission finding that amendments to the offering sheet which is the subject of this proceeding filed with the Commission are so far as necessary in accordance with the order suspending the effectiveness of the said offering sheet heretofore entered in this proceeding;

It is ordered, that the amendments dated July 24, 1936, and received at the office of the Commission on July 27, 1936, to Item 13 of Division II of the said offering sheet be effective as of July 27, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner heretofore entered in this proceeding on the 20th day of July 1936 be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1483—Filed, July 29, 1936; 12:46 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

[Filed on July 13, 1936]

IN THE MATTER OF H. B. SEARS OFFERING SHEET OF A ROYALTY
INTEREST IN BRITISH AMERICAN, McNABB PARK COMMUNITY
FARM

ORDER TERMINATING PROCEEDINGS (UNDER RULE 340) BY
WITHDRAWAL

The Securities and Exchange Commission finding that the offerer has by letter dated July 22, 1936, received by the Commission on July 25, 1936, advised that he has not sold any of the interests covered by the said offering sheet and has requested that the said offering sheet be withdrawn;

It is ordered, that the request for withdrawal be and the same is hereby granted and that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner heretofore entered in this proceeding on the 20th day of July 1936 be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1482—Filed, July 29, 1936; 12:46 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

IN THE MATTER OF KENT K. KIMBALL OFFERING SHEET OF A
ROYALTY INTEREST IN CENTRAL-BENSO "A" FARM

SUSPENSION ORDER. ORDER FOR HEARING (UNDER RULE 340 (A)),
AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Kent K. Kimball on the 22nd day of July 1936, covering a certain royalty interest in the property described therein as Central-Benso "A" Farm, is incomplete or inaccurate in the following material respects, to wit:

In that no data are given to indicate that the lease chosen for comparison in Division III is justified.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 27th day of August 1936; that an opportunity for hearing be given to the said Kent K. Kimball for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 12th day of August 1936 at 10:00 o'clock in the forenoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1480—Filed, July 29, 1936; 12:44 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

IN THE MATTER OF SOUTHWEST ROYALTIES COMPANY OFFERING SHEET OF A ROYALTY INTEREST IN KANOKA-GIFFIN FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet filed by Southwest Royalties Company on the 22nd day of July 1936, covering a certain royalty interest in the property described therein as Kanoka-Giffin Farm is incomplete or inaccurate in the following material respects, to wit:

1. In that in the comparison in Division III the oil recovery per well in the Welch Pool is misstated.
2. In that a per well rather than per acre basis is made in comparison in Division III.
3. In that Division III omits other factors considered necessary such as the comparative well spacing in the tracts compared.
4. In that no consideration has been given in the comparison in Division III to the reduction of rock pressure.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 27th day of August 1936; that an opportunity for hearing be given to the said Southwest Royalties Company for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 12th day of August 1936, at 11:00 o'clock in the forenoon of that day, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1481—Filed, July 29, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of July A. D. 1936.

Vol. I—pt. 1—37—58

IN THE MATTER OF H. F. WILCOX OFFERING SHEET OF A WORKING INTEREST IN GILLIAM #1 FARM

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING A TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe and therefore alleging, that the offering sheet filed by H. F. Wilcox on the 22nd day of July 1936, covering certain working interests in the property described therein as Gilliam #1 Farm is incomplete or inaccurate in the following material respects, to wit:

1. In that the answer to Item 7, Division II, does not disclose what proportion of the entire lessee's working interest will be retained or held by the offeror and his affiliates, and what proportion thereof is offered for sale.

2. In that Item 12, Paragraph 3, Division II, speaks of "known producing horizons to be tested by this well."

3. In that Item 24(a), Division II, has not been answered. It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, suspended until the 27th day of August 1936; that an opportunity for hearing be given to the said H. F. Wilcox for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate and whether the said order of suspension should be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding begin on the 12th day of August 1936, at 1:00 o'clock in the afternoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

Upon the completion of testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1479—Filed, July 23, 1936; 12:44 p. m.]

Friday, July 31, 1936

No. 100

DEPARTMENT OF THE INTERIOR.

Petroleum Conservation Division.

ORDER No. 4 (a) UNDER ACT OF FEBRUARY 22, 1935

JULY 16, 1936.

By virtue of and pursuant to the authority in the Act of Congress entitled "An Act To regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935 (49 Stat. 30), and Executive Order of the President of the United States, No. 6979 (February 28, 1935), and with the approval of the President of the United States I hereby order that:

1. In the event of unavoidable absence of the Chairman or Member of Federal Tender Board No. 1, the Director of Federal Petroleum Agency No. 1 shall act as a member of said Board and perform such duties as are assigned to said Board.

